CLASSIFICATION OFFICE DECISION

Title of publication:	Apc031.jpg
Other known title(s):	Not stated
OFLC ref:	1600980.009
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Secretary for Internal Affairs
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	23 December 2016
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	23 December 2016

Summary of reasons for decision:

The publication is a computer image file which depicts sixteen thumbnail images taken from a video. It depicts a naked young Asian woman who is in a state of sexualised nudity and performing sexual acts. The unrestricted availability of this image is likely to be injurious to the public good. The image explicitly depicts sexualised nudity and sexual activity. There is an expectation in society that children and young persons should not be exposed to explicit sexual material as they do not have the maturity or life experience to deal with it. Such material is likely to adversely affect their development as they are still in the process of forming their attitudes toward sex and developing their understanding of sexual behaviours. The publication is therefore classified as objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years. This classification is a reasonable and demonstrably justified limitation on the right to freedom of expression contained in the New Zealand Bill of Rights Act. It reflects the concern of a free and democratic society to limit the availability of publications depicting explicit sexual material to adults.